

JUDGE RAKOFF

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA : INDICTMENT

- v. - : 09 Cr.

VINCENT ELBERT,
a/k/a "BJOHNTO90,"
a/k/a "VEL0089,"

09:CRIM 301

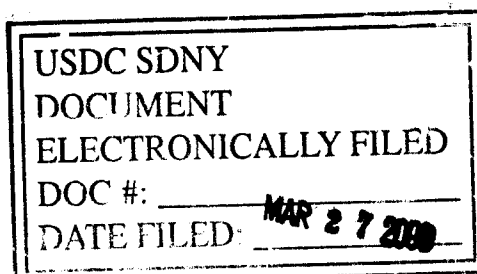
Defendant. :

- - - - - x

COUNT ONE

The Grand Jury charges:

1. From on or about January 9, 2009, up to and including on or about February 24, 2009, in the Southern District of New York and elsewhere, VINCENT ELBERT, a/k/a "BJOHNTO90," a/k/a "VEL0089," the defendant, unlawfully, willfully, and knowingly, after a prior sex offense conviction, to wit, convictions on or about August 15, 1990, in Jackson County Circuit Court, Missouri, for Sodomy, a class B felony, in violation of Missouri Criminal Code Section 566.060, and Sexual Abuse in the First Degree, a class D felony, in violation of Missouri Criminal Code Section 566.100, did use a facility and means of interstate and foreign commerce to persuade, induce, entice, and coerce an individual who had not attained the age of 18 years, to engage in sexual activity for which a person can be



charged with a criminal offense, and attempted to do so, to wit, ELBERT used a computer and the Internet to attempt to persuade, induce, entice, and coerce two minor female children to engage in sexual activity.

(Title 18, United States Code, Sections 2422(b) and 2426.)

COUNT TWO

The Grand Jury further charges:

2. On or about February 25, 2009, VINCENT ELBERT, a/k/a "BJOHNTO90," a/k/a "VEL0089," the defendant, unlawfully, willfully, and knowingly, after a prior sex offense conviction, to wit, convictions on or about August 15, 1990, in Jackson County Circuit Court, Missouri, for Sodomy, a class B felony, in violation of Missouri Criminal Code Section 566.060, and Sexual Abuse in the First Degree, a class D felony, in violation of Missouri Criminal Code Section 566.100, did travel in interstate commerce for the purpose of engaging in illicit sexual conduct with another person, to wit, ELBERT traveled from Kentucky to New York, New York, for the purpose of engaging in sexual acts with two minor female children.

(Title 18, United States Code, Sections 2423(b) and 2426.)

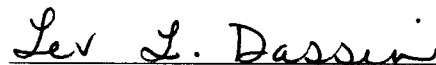
COUNT THREE

The Grand Jury further charges:

3. From on or about January 12, 2009, up to and including on or about February 24, 2009, in the Southern District of New York and elsewhere, VINCENT ELBERT, a/k/a "BJOHNTO90," a/k/a "VEL0089," the defendant, unlawfully, willfully, and knowingly, after having been convicted under the laws of any State relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, to wit, convictions on or about August 15, 1990, in Jackson County Circuit Court, Missouri, for Sodomy, a class B felony, in violation of Missouri Criminal Code Section 566.060, and Sexual Abuse in the First Degree, a class D felony, in violation of Missouri Criminal Code Section 566.100, did mail, and transport and ship in interstate and foreign commerce child pornography by any means, including by computer, to wit, ELBERT sent images of child pornography from a computer in Kentucky, via the Internet, to an individual located in the Bronx, New York.

(Title 18, United States Code, Sections 2252A(a)(1) and 2252A(b)(1).)


FOREPERSON


LEV L. DASSIN
Acting United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

VINCENT ELBERT,
a/k/a "BJOHNTO90,"
a/k/a "VEL0089,"

Defendant.


INDICTMENT

09 Cr.

(18 U.S.C. §§ 2252A(a)(1), 2252A(b)(1),
2422(b), 2423(b), 2426.)

LEV L. DASSIN
Acting United States Attorney.

A TRUE BILL


Foreperson.

3/27/09
MB

Filed Indictment. Case assigned
to Judge Rakoff: Ellis, U.S.M.J.